

REMARKS

Claims 1-20 are all the claims pending in the application. Support for new claims 18-20 may be found in the specification as originally filed, for example, at page 21, lines 10-11.

I. The Rejection Under 35 U.S.C. §112, second paragraph

Claims 1, 4, 5, and 16-17 are rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to point out and distinctly claim the subject matter which applicant regards as the invention.

The Examiner states that Applicants recite in the preamble of the rejected claims a process of producing a 3-dimensionally shaped article; however, in the body of the claim, Applicant never makes or recites that he has made a 3-dimensionally shaped article. The Examiner notes that in claim 1, applicant recites repeating the steps successively but does not teach that the powder and binding created in each step are put one on top of the other to create a layered or 3-dimensional object. The Examiner further states that one could repeat these steps successively and put the material along side of the original material so the article can grow in one dimension as opposed to three dimensions, which would require the powder and binder to be placed on top of or underneath the first layer.

Applicants respectfully submit that the present claims are clear and definite as written and that they particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants request that the Examiner reconsider and withdraw the rejection under 35 U.S.C. §112, second paragraph, in view of the following remarks.

It appears that the Examiner is not giving any patentable weight to the “preamble” of the rejected claims, and is requiring that Applicants specifically recite in the body of the claims that a three-dimensionally shaped object is produced. Applicants have amended claim 1 to recite in the body of the claim the production of a three dimensional object. See Applicants’ specification, page 12, lines 11-13 and 19-23. Applicants’ respectfully submit that the claims are clear and definite and it is requested that the rejection under 35 U.S.C. §112 be reconsidered and withdrawn.

II. Conclusion

In view of the above, Applicants respectfully submit that their claimed invention is allowable and ask that the rejection under 35 U.S.C. §112 be reconsidered and withdrawn. Applicants respectfully submit that this case is in condition for allowance and allowance is respectfully solicited.

If any points remain at issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the local exchange number listed below.

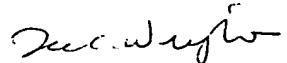
Applicants hereby petition for any extension of time which may be required to maintain the pendency of this case.

U.S. Appln. No.: 10/809,832
Amendment Under 37 C.F.R. §1.111

Attny Docket: Q80751

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Lee C. Wright
Registration No. 41,441

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

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